

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION**

Docket No.  
80142-0(80021-131)

Serial No.  
09/435,458

Filing Date  
November 5, 1999

Patent No.

Issue Date

Applicant/ Anna Malgorzata Celler; Dominikus Rudolf Noll; Troy Howard Farncombe; Jean Maeght  
Patentee:

Invention: **METHOD AND APPARATUS FOR PRODUCING A REPRESENTATION OF A MEASURABLE  
PROPERTY WHICH VARIES IN TIME AND SPACE, FOR PRODUCING AN IMAGE REPRESENTING CHANGES  
IN RADIOACTIVITY IN AN OBJECT AND FOR ANALYZING TOMOGRAPHY SCAN IMAGES**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: The University of British Columbia

ADDRESS OF ORGANIZATION: 2075 Wesbrook Mall
Vancouver, British Columbia
Canada
V6T 1Z1

TYPE OF NONPROFIT ORGANIZATION:

- ☒ University or other Institute of Higher Education
- ☐ Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
- ☐ Nonprofit Scientific or Educational under Statute of State of The United States of America  
Name of State: Citation of Statute:
- ☐ Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America
- ☐ Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America  
Name of State: Citation of Statute:

I hereby declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification to be filed herewith.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME

ADDRESS

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**Angus Livingstone**

NAME OF PERSON SIGNING:

Managing Director

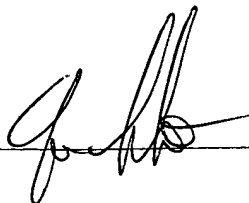
TITLE IN ORGANIZATION:

University-Industry Liaison Office

ADDRESS OF PERSON SIGNING:


IRC Room 331, 2194 Health Sciences Mall, Vancouver, British Columbia,  
V6T 1Z3

SIGNATURE:



DATE:

JAN 25 2000

<b>VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (b)) - INDEPENDENT INVENTOR</b>			Docket No. 80142-0(80021-131)
Serial No. 09/435,458	Filing Date November 5, 1999	Patent No.	Issue Date
Applicant/ Patentee: Anna Malgorzata Celler; Dominikus Rudolf Noll; Troy Howard Farncombe; Jean Maeght			
Invention: <b>METHOD AND APPARATUS FOR PRODUCING A REPRESENTATION OF A MEASURABLE PROPERTY WHICH VARIES IN TIME AND SPACE, FOR PRODUCING AN IMAGE REPRESENTING CHANGES IN RADIOACTIVITY IN AN OBJECT AND FOR ANALYZING TOMOGRAPHY SCAN IMAGES</b>			
<p>As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled above and described in:</p> <div style="display: flex; justify-content: space-between;"><div><p><input type="checkbox"/> the specification to be filed herewith.</p><p><input checked="" type="checkbox"/> the application identified above.</p><p><input type="checkbox"/> the patent identified above.</p></div><div style="text-align: center;"></div></div> <p>I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p> <p>Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:</p> <div style="display: flex; justify-content: space-between;"><div><p><input type="checkbox"/> No such person, concern or organization exists.</p><p><input checked="" type="checkbox"/> Each such person, concern or organization is listed below.</p></div><div></div></div> <p><b>*NOTE:</b> Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)</p> <div style="margin-top: 10px;"><p><b>FULL NAME</b> <u>The University of British Columbia</u></p><p><b>ADDRESS</b> <u>2075 Wesbrook Mall, Vancouver, British Columbia, Canada V6T 1Z1</u></p><div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Individual</div><div><input type="checkbox"/> Small Business Concern</div><div><input checked="" type="checkbox"/> Nonprofit Organization</div></div></div> <div style="margin-top: 10px;"><p><b>FULL NAME</b> _____</p><p><b>ADDRESS</b> _____</p><div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Individual</div><div><input type="checkbox"/> Small Business Concern</div><div><input type="checkbox"/> Nonprofit Organization</div></div></div> <div style="margin-top: 10px;"><p><b>FULL NAME</b> _____</p><p><b>ADDRESS</b> _____</p><div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Individual</div><div><input type="checkbox"/> Small Business Concern</div><div><input type="checkbox"/> Nonprofit Organization</div></div></div> <div style="margin-top: 10px;"><p><b>FULL NAME</b> _____</p><p><b>ADDRESS</b> _____</p><div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Individual</div><div><input type="checkbox"/> Small Business Concern</div><div><input type="checkbox"/> Nonprofit Organization</div></div></div>			

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Anna Malgorzata Celler

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR Dominikus Rudolf Noll

SIGNATURE OF INVENTOR D.R. Noll

DATE: 26/01/2000

NAME OF INVENTOR Troy Howard Farncombe

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR Jean Maeght

SIGNATURE OF INVENTOR J Maeght

DATE: 26 janvier 2000

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF INVENTOR \_\_\_\_\_

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE: \_\_\_\_\_

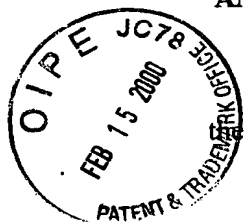
Docket No. 80142-0 (80021-131)**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name,

I believe that I am the original, first and sole inventor [if only one name is listed below] or an original, first and joint inventor [if plural names are listed below] of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR PRODUCING A REPRESENTATION OF A  
MEASURABLE PROPERTY WHICH VARIES IN TIME AND SPACE, FOR PRODUCING  
AN IMAGE REPRESENTING CHANGES IN RADIOACTIVITY IN AN OBJECT AND FOR  
ANALYZING TOMOGRAPHY SCAN IMAGES**



the specification of which [check one]

☐ is attached hereto

☒ was filed on November 5, 1999 as Application Serial No. 09/435,458

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a).

"(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by Section 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application,
- (2) the closest information over which individuals associated with the filing or

prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability."

I hereby claim foreign priority benefits under Title 35, United States Code §119 and/or §365 of any foreign application[s] for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing of this application:

**PRIOR FOREIGN APPLICATION[S]**

**Priority Claimed**

**NO**

[Number]	[Country]	[Day/Month/Year filed]

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application[s] listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**60/107,335**

**November 6, 1998**

**Provisional**

[Application Serial No.]

[Filing Date]

[Status: patented, pending, abandoned]

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint as my attorneys and/or agents, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Paul W. Vapnek, Reg. No. 24,185  
 Charles E Krueger, Reg. No. 30,077  
 Gerald T. Gray, Reg. No. 41,797

SEND CORRESPONDENCE TO: Paul. W. Vapnek, Reg. No. 24,185  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834

DIRECT TELEPHONE CALLS TO: Paul. W. Vapnek, Reg. No. 24,185  
(415) 576-0200

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor No. 1

Full Name: Anna Malgorzata Celler

Signature: \_\_\_\_\_ date: \_\_\_\_\_

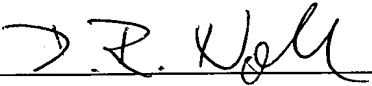
Residence address: 1529 Burrill Avenue, North Vancouver, British Columbia, V7K 1L8,  
Canada

Citizenship: Canadian

Post Office address: As above

Inventor No. 2

Full Name: Dominikus Rudolf Noll

Signature:  date: 26/01/2000

Residence address: 29, hameau de Doumenjou, 31650 Lauzerville, France

Citizenship: German

Post Office address: As above

Inventor No. 3Full Name: Troy Howard Farncombe

Signature: \_\_\_\_\_

date: \_\_\_\_\_

Residence address: 205 - 1450 Chestnut Street, Vancouver, British Columbia, V6J 3K3  
CanadaCitizenship: CanadianPost Office address: As aboveInventor No. 4Full Name: Jean Maeght

Signature: \_\_\_\_\_

date: 26 janvier 2000Residence address: 14 boulevard Monplaisir, Toulouse 31400, FranceCitizenship: FrenchPost Office address: As above